



DOCKET NO: C01104/70016

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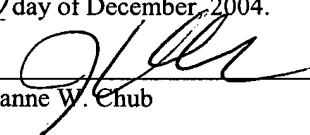
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kevin J. Dowling et al.  
Serial No: 09/805,590  
Confirmation No: 1160  
Filed: March 13, 2001  
For: LIGHT-EMITTING DIODE BASED PRODUCTS

Examiner: A, Minh D.  
Art Unit: 2821

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 20 day of December, 2004.

  
Jeanne W. Chub

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

Information Disclosure Statement and PTO Form 1449  
 Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 395-7000.

No check is enclosed. If a fee is required, the Commissioner is hereby authorized to charge Deposit Account No. 50/2762.

Respectfully submitted,  
*Kevin J. Dowling et al., Applicants*

By:   
Joseph Teja, Jr., Reg. No. 45,157  
LOWRIE, LANDO & ANASTASI, LLP  
Riverfront Office Park  
One Main Street  
Cambridge, MA 02142  
(617) 395-7000

Date: December 20, 2004

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Jeanne W. Chub

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Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

**PART I: Compliance with 37 C.F.R. §1.97**

This Information Disclosure Statement has been filed before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. §1.114.

No fee or certification is required.

**PART II: Information Cited**

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

**PART III: Remarks**

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,  
*Kevin J. Dowling et al.*, Applicants

By:   
Joseph Teja, Jr., Reg. No. 45,157  
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Riverfront Office Park  
One Main Street  
Cambridge, Massachusetts 02142  
Tel. (617) 395-7000

Date: December 20, 2004

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FORM PTO-1449/A and B (Modified)		APPLICATION NO.: 09/805,590	ATTY. DOCKET NO.: C01104/70016
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>DEC 21 2004</i> <i>PATENT &amp; TRADEMARK OFFICE</i>		FILING DATE: March 13, 2001	CONFIRMATION NO.: 1160
		APPLICANT: Kevin J. Dowling et al.	
Sheet	1	GROUP ART UNIT: 2821	EXAMINER: A, Minh D.

### U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		

### FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/Country	Number	Kind Code			
		JP	9139289			05-27-1997	Abstract

### OTHER ART – NON PATENT LITERATURE DOCUMENTS

Examiner's Initials#	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
		Color Kinetics v. Super Vision International, Inc., "Preliminary Expert Witness Report of Dr. David I. Kennedy Prepared and Submitted on Behalf of Super Vision International, Inc.," United States District Court of Massachusetts Case No. 02 CV 11137 MEL.	
		G. MacGregor et al., "Solid-State Displays for CRT Replacement in Data Annotation Systems," Optotek Limited, Proceedings, IEEE-SID Conference on Display, Devices and Systems, 1974, Washington, DC, pp. 59-65.	
		P.G. Wareberg and D.I. Kennedy, "Flat-Panel Video Resolution LED Display System," Optotek Limited, IEEE, 1982, pp. 746-751.	
		R.J. Spiger, "LED Multifunction Keyboard Engineering Study," June 1983.	
		D. Effer et al., "Fabrication and Properties of Gallium Phosphide Variable Colour Displays," July 1973.	
		David I. Kennedy, "Fabrication and Properties of Gallium Phosphide Variable Colour Displays," <i>Microelectronics</i> , vol. 5, no. 3, 1974, pp. 21-29.	
		Des Keppel, "Tech Tips, Pulse Adding Circuit," ETI November 1986	
		Multicolour Pendant, Maplin Magazine, Dec. 1981.	
		"Solid-State Dark Room Lighting, Elektor", October 1983.	
		Open Letter to the USPTO, October 14, 2004, <a href="http://www.artisticlicense.com/app.notes/appnote027.pdf">http://www.artisticlicense.com/app.notes/appnote027.pdf</a>	
		<a href="http://www.artisticlicense.com/appnotes/appnote015.pdf">http://www.artisticlicense.com/appnotes/appnote015.pdf</a> , pp. 1-17.	
		Optotek Limited, Technical Manual for Multicolor Interactive Switch Module AN-601 and Input Simulator AN-600, September 1986.	

EXAMINER	DATE CONSIDERED

#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.